



ZONING ADMINISTRATOR NOTICE OF DECISION

Date: March 17, 2011
Applicant: Burnham Nationwide
Case No.: DRC-11-03
Address: 2245 Otoy Lakes Road
Project Planner: Caroline Young

Notice is hereby given that on March 17, 2011, the Zoning Administrator considered Design Review (DRC) application DRC-11-03, filed by Burnham Nationwide ("Applicant"). The Applicant requests Design Review approval to demolish an existing vacant restaurant building and construct a 3,818 square-foot Chase Bank building. The Project is located at 2245 Otoy Lakes Road ("Project Site") and is owned by Sobreck LP Eastlake Village Marketplace LLC ("Property Owner"). The Project Site is zoned Eastlake II Planned Community (PC), with a General Plan designation of Commercial Retail (CR). The Project is more specifically described as follows:

The Project consists of the demolition of an existing vacant restaurant building and the construction of a one-story 3,818 square-foot Chase Bank building within the Eastlake Marketplace shopping center. The building also features a drive-up ATM and a by-pass lane that wraps around the side of the building. The architecture, building material, and colors will match or compliment the existing features within the shopping center. New landscaping will be added throughout the site.

The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has determined that the proposed project was adequately covered in previously adopted Final EIR (EIR-92-01), for the Eastlake II Sectional Planning Area (SPA) Plan. No further environmental review or documentation is necessary.

The proposed project is consistent with the development regulations and design guidelines of the Eastlake II Sectional Planning Area (SPA), and Landscape Manual. The Zoning Administrator, under the provisions of Section 19.14.582.G of the Chula Vista Municipal Code (CVMC), has conditionally approved the project subject to the following conditions:

- I. The following shall be accomplished to the satisfaction of the Development Services Director, prior to issuance of building permits, unless otherwise specified:

Planning Division:

1. The Applicant/Representative and Property Owner shall execute this document by making a true copy and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner/representative

Date

2. A graffiti resistant treatment shall be specified for all wall and building surfaces, and noted on any building and wall plans. Additionally, the project shall conform to CVMC Section 9.20.055 regarding graffiti control. The applicant shall remove all graffiti on a regular basis.
3. All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections, shall be shielded from view and the sound buffered from adjacent properties and streets as required by the Development Services Director. Such screening shall be architecturally integrated with the building design and constructed to the satisfaction of the Development Services Director.
4. The colors and materials specified on the building plans must be consistent with the colors and materials shown on the site plan and materials board available in the Planning Division and date stamped January 25, 2011.
5. The Applicant shall obtain approval of a sign permit for each new sign by the Development Services Department. Signs shall comply with all applicable requirements of the CVMC.

Fire Department

6. The project will require a fire flow of 1,750 gallons per minute for 2-hour duration (at 20psi).
7. The Applicant shall provide a water flow letter from the applicable water agency having jurisdiction indicating that the above mentioned fire flow is available to serve this project.
8. The Project shall comply with California Fire Code Chapter 14, "Fire Safety During Construction and Demolition".
9. The Building shall be provided with one Knox appliances.
 - Provide a Knox Vault at the main entrance to the building
10. The building shall be addressed in accordance with the following criteria:
 - 0 – 50ft from the building to the face of the curb = 6-inches in height with a 1-inch stroke
 - 51 – 150ft from the building to the face of the curb = 10-inches in height with a 1 ½ -inch stroke
 - 151ft from the building to the face of the curb = 16-inches in height with a 2-inch stroke
11. The Project shall be protected throughout by an approved automatic fire sprinkler system.
12. The Applicant shall provide one (1) serviced fire extinguisher, every 3000 square feet and 75 feet of travel in any direction. The Fire Hydrants shall be located not greater than 300 feet apart.

Land Development Division

13. The following fees will be required based on the final Building Plans submitted:
 - a. Sewer Capacity Fee
 - b. Traffic Signal Fee
 - c. Development Impact Fees per the Master Fee Schedule
14. All on-site drainage facilities shall be private.
15. The Applicant shall enter in to a Storm Water Facilities Maintenance Agreement with the City before approval of the grading plans for the site. The Applicant shall agree to install, inspect, maintain, repair and replace all private Storm Water Management Facilities within the Developer's project.

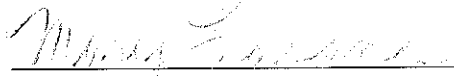
16. The Applicant shall submit a Land Development Permit ("grading permit") for this project. All grading work shall be designed in accordance with Chula Vista Ordinance 1797, Chapter 15.04 of the Chula Vista Municipal Code, and the City of Chula Vista Subdivision Manual.
17. The Project shall comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) Municipal Permit, Order No. R9-2007-0001 (Municipal Permit), the City of Chula Vista Standard Urban Storm Water Mitigation Plan (SUSMP), the Chula Vista Municipal Code Chapter 14.20, and the latest approved version of the City of Chula Vista Development Storm Water Manual.
18. The final Water Quality Technical Report shall be reviewed and approved by the City's Engineer.

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. The Applicant shall maintain the Project in accordance with the approved plans for DRC-11-03, date stamped on January 25, 2011, which includes a site plan and architectural elevations on file in the Planning Division, the conditions contained herein, and Title 19.
2. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City ordinances in effect at the time of building permit issuance.
3. This Design Review Permit shall become void and ineffective if not utilized within three (3) year from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code.
4. The Property Owner and Applicant shall and do agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Design Review Permit and (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated on the Project Site. The Property Owner and Applicant shall acknowledge their agreement to this provision by executing a copy of this Design Review Permit where indicated above. The Property Owner's and Applicant's compliance with this provision shall be binding on any and all of the Property Owner's and Applicant's successors and assigns.

DRC-11-03, Chase Bank

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 17th day of March 2011.

A handwritten signature in cursive script, appearing to read "Mary Ladiana", is written over a horizontal line.

Mary Ladiana
Zoning Administrator